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October 30, 2020

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Re: *B & R Supermarket, Inc., et al v. Visa, Inc. et al, Case No. 1:17-cv- 02738-MKB-JO*

Dear Counsel:

Pursuant to Judge Brodie's Individual Practices and Rules, Rule 3.D, and the briefing schedule set forth by the Court on September 30, 2020, Defendant Discover Financial Services ("Discover") hereby serves Plaintiffs B&R Supermarket, Inc., d/b/a Milam's Market; Grove Liquors LLC; Strouk Group LLC, d/b/a Mousieur Marcel; and Palero Food Corp. and Cagueyes Food Corp., d/b/a Fine Fare Supermarket, on behalf of themselves and all others similarly situated, with the following notice of motion and supporting documentation:

- 1) Discover's Notice of Motion to Compel Arbitration
- 2) Discover's Memorandum of Law in Support of Its Motion to Compel Arbitration
- 3) Discover's Declaration of Amy L. Parsons in Support of Discover's Motion to Compel Arbitration, and the following documents attached as Exhibits:
 - a. The Retained Merchant Accounts Lists that were published to acquirers during the period from October 2015 to October 2017, attached as **Exhibit 1**
 - Retained Merchant Accounts List Release 16.1, published October 16, 2015
 - Retained Merchant Accounts List Release 16.2, published April 15, 2016

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- Retained Merchant Accounts List Release 17.1, published October 14, 2016
 - Retained Merchant Accounts List Release 17.2, published April 21, 2017
- b. The standard MSAs effective during the period April 1999 to the present, attached as **Exhibit 2**
- April 1999 Standard MSA
 - June 2000 Standard MSA
 - August 2000 Standard MSA
 - April 2001 Standard MSA
 - September 2002 Standard MSA
 - October 2004 Standard MSA
 - June 2006 Standard MSA
 - October 2007 Standard MSA
 - February 2009 Standard MSA
 - April 2010 Standard MSA
 - February 2012 Standard MSA
 - February 2014 Standard MSA
 - July 2015 Standard MSA
- c. A chart listing Retained Merchants with custom MSAs and the Bates numbers of those custom MSAs in Discover's productions, attached as **Exhibit 3**
- d. Discover's Merchant Operating Regulations effective during the period from October 2015 to October 2017, attached as **Exhibit 4**
- Merchant Operating Regulations Release 15.2, October 16, 2015
 - Merchant Operating Regulations Release 16.1, April 15, 2016
 - Merchant Operating Regulations Release 16.2, October 14, 2016
 - Merchant Operating Regulations Release 17.1, April 21, 2017

The forgoing documents are being served via e-mail.

Sincerely,

Johanna Rae Hudgens